

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KAYREN BREWER,

Plaintiff,

v.

Civil Case No. 22-10689
Honorable Linda V. Parker

EQUIFAX INFORMATION
SERVICES, LLC and
JP MORGAN CHASE & CO.,

Defendants.

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**OPINION AND ORDER LIFTING STAY AND
REQUIRING PLAINTIFF TO RESPOND**

On March 31, 2022, Plaintiff, with the assistance of counsel, filed this lawsuit against Defendants alleging violations of the Fair Credit Reporting Act. She subsequently settled the matter with Defendant Equifax Information Services, LLC. (*Id.* 28.) On March 7, 2023, Plaintiff's counsel moved to withdraw due to a breakdown in the attorney-client relationship, at least partially due to counsel's inability to contact Plaintiff. (ECF No. 29.) Defendant did not oppose the motion. (*Id.* at Pg ID 92.)

On March 8, 2023, this Court granted counsel's motion to withdraw and issued an opinion and order to that effect. (ECF No. 30.) In the order, the Court stayed the matter for 45 days to allow Plaintiff to retain new counsel and instructed

Plaintiff that the matter will move forward after that period whether Plaintiff retains new counsel or is proceeding pro se. (*Id.* at Pg ID 97.) The Court also ordered:

[I]f new counsel does not enter an appearance on behalf of Plaintiff or Plaintiff fails to provide contact information to the Clerk of the Court by the above expiration date, or if Plaintiff fails to otherwise continue her prosecution of her claims against Defendant JP Morgan Chase & Co., this matter will be dismissed with prejudice for failure to prosecute pursuant to Eastern District of Michigan Local Rule 41.2.

(*Id.* at Pg ID 98.) The Court instructed Plaintiff's counsel to serve a copy of the decision on Plaintiff and to file a certificate of service. (*Id.*) Counsel filed a proof of service on March 16, indicating that he mailed the materials to Plaintiff. (ECF No. 99.)

The 45 days have expired. No attorney has entered an appearance on Plaintiff's behalf and Plaintiff has not otherwise contacted the Court or taken action in this matter.

Accordingly,

IT IS ORDERED that the **STAY IS LIFTED**.

IT IS FURTHER ORDERED that, within fourteen (14) days of this Opinion and Order, Plaintiff shall notify the Court in writing as to whether she plans to move forward with this action. Plaintiff's communication should be mailed to:

Clerk of the Court
U.S. District Court E.D. Michigan
231 W. Lafayette Blvd.
Detroit, MI 48226

If Plaintiff does not comply before the deadline expires, the Court will dismiss the matter for failure to prosecute pursuant to Eastern District of Michigan Local Rule 41.2.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: May 2, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, May 2, 2023, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager